

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

HOWELL DEAN O'BRYAN, JR., Petitioner, v. J.W. COX, in his capacity as Warden of Yankton Federal Prison Camp, Respondent.	4:21-cv-04052-LLP RESPONDENT'S RESPONSE TO COURT'S REQUEST FOR ADDITIONAL INFORMATION
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Comes now Respondent, by and through counsel, Acting United States Attorney Dennis R. Holmes and Assistant United States Attorney Alison J. Ramsdell, to provide the Court with the additional information requested at the hearing held on July 27, 2021.

Petitioner is currently enrolled as a degree-seeking inmate with the local college. See Declaration of Sasha Labrenz at ¶ 4; Exhibit A. The Bureau has designated post-secondary education programs as meeting a Work Need, which Petitioner currently has. Id. Petitioner will therefore earn EBRR programming hours upon the successful completion of this degree program. Id. Petitioner is pursuing a post-secondary Associate's degree through Mount Marty University. Id. If Petitioner successfully completes his degree program in August of 2021 (and assuming no other changes in Petitioner's status), he will have completed an additional 200 hours of EBRR programming, for a total of 700 programming hours. Id. at ¶ 5. These additional programming hours would entitle Petitioner to an additional 12.5 days of time credit under the First Step Act. In all, Petitioner will have earned 43.75 days of time credit under the First Step Act.

Dated this 29th day of July, 2021.

DENNIS R. HOLMES
Acting United States Attorney

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 29, 2021, service of the foregoing document along with the Declaration of Sasha Labrenz (with exhibit) in the above-entitled matter was made by United States mail, postage prepaid, to the following:

Howell Dean O'Bryan, Jr.
#16234-033
FPC Yankton
Inmate Mail/Parcels
P.O. Box 700
Yankton, SD 57078

/s/ Alison J. Ramsdell
Alison J. Ramsdell